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4-9-99

H-733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

S. TOKITA et al

Serial No.

Filed: February 11, 1999

For: OPTICAL TRANSMITTER AND OPTICAL TRANSMITTING
APPARATUS USING THE SAME

jc549 U.S. PTO
09/247809
02/11/99

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98
AND CONDITIONAL PETITION REQUESTING
CONSIDERATION OF THE IDS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$240.00 (a check in the amount of \$240.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$130.00 (a check in the amount of \$130.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

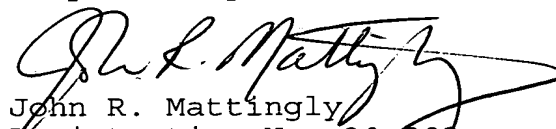
3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed (needed for U.S. and foreign patents, publication or portion thereof listed; no copy of a U.S. patent application is needed; a copy of a document is not needed when previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120).

4. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 02-1540. A duplicate of this sheet is attached.

5. No explanation of relevancy is being provided for the documents listed in the attached PTO-1449 Form, because they are either mentioned in the Specification and/or an English translation is provided herewith.

6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,


John R. Mattingly
Registration No. 30,292
Attorney for Applicants

FAY, SHARPE, BEALL,
FAGAN, MINNICH & MCKEE
104 East Hume Avenue
Alexandria, Virginia 22301
(703) 684-1120
Date: February 11, 1999